

**VIRGINIA BOARD OF NURSING
Minutes
May 16, 2012**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:15 A.M. on May 16, 2012 in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

**BOARD MEMBERS
PRESENT:**

Patricia M. Selig, RN, FNP, PhD; Chairperson
Louise D. Hartz, Citizen Member
John M. Horn, LPN
Jane Ingalls, RN, CNS, PhD
Patricia C. Lane, RN, BSN
Evelyn Lindsay, LPN

**BOARD MEMBERS
ABSENT:**

Patricia M. Selig, RN, FNP, PhD; Chairperson

STAFF PRESENT:

Brenda Krohn, RN, MS; Deputy Executive Director
Jodi P. Power, RN, JD; Deputy Executive Director
Amy Davis, Executive Assistant

OTHERS PRESENT:

Howard Casway, Senior Assistant Attorney General
Students from Riverside School of Nursing

**ESTABLISHMENT OF
A QUORUM:**

With six members of the Board present, a quorum was established.

CONSIDERATION OF AGENCY SUBORDINATE RECOMMENDATIONS:

CLOSED MEETING:

Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:15 A.M. for the purpose of consideration of agency subordinate recommendations. Additionally, Ms. Lindsay moved that Ms. Krohn, Ms. Power, Ms. Davis and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.
The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 9:26 A.M.

Ms. Lindsay moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.
The motion was seconded and carried unanimously.

Sheryl Gordon, LPN 0002-033471

Ms. Gordon did not appear.

Ms. Hartz moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Sheryl Gordon. The motion was seconded and carried unanimously.

Jennifer L. Jones, LPN 0002-083823

Ms. Jones did not appear.

Ms. Hartz moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of Jennifer Jones until such time as she can demonstrate that she is able to resume the safe and competent practice of practical nursing.

The motion was seconded and carried unanimously.

Kimberly C. Whitby, RN 0001-164311

Ms. Whitby did not appear.

Ms. Hartz moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the registered nurse license of Kimberly Whitby with said suspension stayed upon proof of entry into the Health Practitioners Monitoring Program and thereafter remaining in compliance with all terms and conditions for the period specified by the Health Practitioners Monitoring Program. The motion was seconded and carried unanimously.

LaShon L. Lassiter, LPN 0002-068277

Ms. Lassiter did not appear.

Ms. Hartz moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the right to renew the registered nurse license of LaShon Lassiter until such time as she can demonstrate that she is able to resume the safe and competent practice of practical nursing. The motion was seconded and carried unanimously.

Brenda Manning, LPN 0002-078536

Ms. Manning did not appear.

Ms. Hartz moved that the Board of Nursing accept the recommended decision of the agency subordinate to issue an order of reprimand to Brenda Manning.

The motion was seconded and carried unanimously.

Sheila Anderson, CNA 1401-009055

Ms. Anderson did not appear.

Ms. Hartz moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Sheila Anderson and enter a finding of abuse against her in the Virginia Nurse Aide Registry.

The motion was seconded and carried unanimously.

Frederic Coe, CNA 1401-139705

Mr. Coe did not appear.

Ms. Hartz moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Frederic Coe and enter a finding of abuse against him in the Virginia Nurse Aide Registry. The motion was seconded and carried unanimously.

Williemae Greene, CNA 1401-032505

Ms. Greene did not appear.

Ms. Hartz moved that the Board of Nursing accept the recommended decision of the agency subordinate to issue an order of reprimand to Williemae Greene. The motion was seconded and carried unanimously.

Melissa Nester, CNA 1401-054710

Ms. Nester did not appear.

Ms. Hartz moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Melissa Nester and enter a finding of abuse against her in the Virginia Nurse Aide Registry. The motion was seconded and carried unanimously.

Brittany N. Germany, CNA 1401-144510

Ms. Germany did not appear.

Ms. Hartz moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Brittany Germany and enter a finding of abuse against her in the Virginia Nurse Aide Registry. The motion was seconded and carried unanimously.

Teresa Howell, CNA 1401-061442

Ms. Howell did not appear.

Ms. Hartz moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Teresa Howell and enter a finding of abuse against her in the Virginia Nurse Aide Registry. The motion was seconded and carried unanimously.

Joseph W. Jones, CNA 1401-138796

Mr. Jones did not appear.

Ms. Hartz moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Joseph Jones and enter a finding of abuse against him in the Virginia Nurse Aide Registry. The motion was seconded and carried unanimously.

Brittnii M. Roots, CNA 1401-121657

Ms. Roots did not appear.

Ms. Hartz moved that the Board of Nursing accept the recommended decision of the agency subordinate to issue an order of reprimand to Brittnii Roots. The motion was seconded and carried unanimously.

Donna Wilson, CNA 1401-025684

Ms. Wilson did not appear.

Ms. Hartz moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Donna Wilson with a finding of misappropriation of patient property. The motion was seconded and carried unanimously.

Kathleen E. Shumate, RN 0001-106595

Ms. Shumate did not appear.

Ms. Hartz moved that the Board of Nursing modify the recommended decision of the agency subordinate to issue an order of reprimand to Kathleen Shumate and indefinitely suspend the registered nurse license of Ms. Shumate, stay the suspension contingent upon her remaining in compliance with the Health Practitioners Monitoring Program. The motion was seconded and carried unanimously.

Vivian Buchanan, CNA 1401-0080236

Ms. Buchanan did not appear.

Ms. Lane moved that the Board of Nursing modify the recommended decision of the agency subordinate to indefinitely suspend the nurse aide certificate of Vivian Buchanan for a period of not less than one year based on a single finding of neglect. The motion was seconded and carried unanimously.

George E. Massie, CNA 1401-040310

Mr. Massie did not appear.

Ms. Hartz moved that the Board of Nursing modify findings of fact #3 of the recommended decision of the agency subordinate and to issue an order of reprimand to George Massie. The motion was seconded and carried unanimously.

ADJOURNMENT:

The Board adjourned at 9:26 A.M.

Brenda Krohn, RN, MS
Deputy Executive Director

VIRGINIA BOARD OF NURSING
Formal Hearings
May 16, 2012
Panel – A

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 10:10 A.M. on May 16, 2012 in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS

PRESENT: Patricia M. Selig, RN, FNP, PhD; Chairperson
Louise D. Hartz, Citizen Member
John M. Horn, LPN
Jane Ingalls, RN, CNS, PhD
Patricia C. Lane, RN, BSN
Evelyn Lindsay, LPN

STAFF PRESENT: Brenda Krohn, RN, MS; Deputy Executive Director
Jodi P. Power, RN, JD; Deputy Executive Director
Amy Davis, Executive Assistant

OTHERS PRESENT: Howard Casway, Senior Assistant Attorney General
Nursing students from Riverside School of Professional Nursing

ESTABLISHMENT OF
A QUORUM:

With six members of the Board present, a quorum was established.

FORMAL HEARINGS:

Lindsay Middleton, RN 0001-179535

Ms. Middleton appeared, represented by Pamela Branch, attorney; and accompanied by her husband Kevin Middleton.

Cynthia Gaines, Adjudication Specialist, represented the Commonwealth. Mr. Casway was legal counsel for the Board. Lisa Mattson, court reporter, recorded the proceedings.

Denise Sexton, Senior Investigator, Department of Health Professions; Sue Irvine, Administrator, Generation Solutions; Donna Henry, Human Resource Manager, Generation Solutions; Linda Bryant; and Kevin Middleton, husband; were present and testified. Kenneth Fore, MD, Piedmont Psychiatric Center; and Ashley Marshall, Human Resource Manager Blue Ridge Residential Services testified by telephone.

CLOSED MEETING:

Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(15) of the *Code of Virginia* at 11:15 A.M. for the purpose of consideration and discussion of medical records of Lindsay Middleton that are excluded from the Freedom of Information Act by Virginia Code Section 1 of 2.2-3705.5. Additionally, Ms. Lindsay moved that Ms. Krohn, Ms. Power, Ms. Davis, Ms. Middleton, Ms. Branch, Ms. Gaines, Ms. Mattson and Mr. Casway attend the

closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Board in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 11:30 A.M.

Ms. Lindsay moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

CLOSED MEETING: Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(15) of the *Code of Virginia* at 12:18 P.M. for the purpose of consideration and discussion of medical records of Lindsay Middleton that are excluded from the Freedom of Information Act by Virginia Code Section 1 of 2.2-3705.5. Additionally, Ms. Lindsay moved that Ms. Krohn, Ms. Power, Ms. Davis, Ms. Middleton, Ms. Branch, Ms. Gaines, Ms. Mattson and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Board in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 12:24 P.M.

Ms. Lindsay moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

CLOSED MEETING: Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 1:18 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Middleton. Additionally, Ms. Lindsay moved that Ms. Krohn, Ms. Power, Ms. Davis and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 2:10 P.M.

Ms. Lindsay moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Ms. Lane moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Gaines and amended by the Board.

The motion was seconded and carried unanimously.

ACTION:

Dr. Ingalls moved that the Board of Nursing take no action against Lindsay Middleton contingent upon her entry into the Health Practitioners Monitoring Program within 45 days of entry of the order and thereafter remaining in compliance with the Health Practitioners Monitoring Program.

The motion was seconded and carried. Ms. Hartz, Mr. Horn, Dr. Selig and Dr. Ingalls were in favor of the motion. Ms. Lane and Ms. Lindsay opposed the motion.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

RECESS:

The Board recessed at 2:14 P.M.

RECONVENTION:

The Board reconvened at 2:45 P.M.

Ms. Lane left the meeting.

FORMAL HEARINGS:

Tina K. Ordonez, CNA Reinstatement Applicant 1401-001608

Ms. Ordonez appeared.

Cynthia Gaines, Adjudication Specialist, represented the Commonwealth. Mr. Casway was legal counsel for the Board. Lisa Mattson, court reporter, recorded the proceedings.

Kelly Ashley, Senior Investigator, Department of Health Professions; Vicky Fox, Senior Investigator, Department of Health Professions; and Dawn France, Case Manager, Health Practitioners Monitoring Program were present and testified.

CLOSED MEETING:

Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 3:43 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Ordonez. Additionally, Ms. Lindsay moved that Ms. Krohn, Ms. Power, Ms. Douglas and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 4:12 P.M.

Ms. Lindsay moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Ms. Hartz moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Gaines and amended by the Board.

The motion was seconded and carried unanimously.

ACTION: Mr. Horn moved that the Board of Nursing reinstate the nurse aide certificate of Tina Ordonez and issue an order of reprimand.
The motion was seconded and carried. Ms. Hartz, Mr. Horn, Dr. Selig and Dr. Ingalls were in favor of the motion. Ms. Lindsay opposed the motion.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

FORMAL HEARINGS: **Billy Lyons, RN 0001-226477**
Mr. Lyons did not appear.

James Rutkowski, Adjudication Specialist, represented the Commonwealth. Mr. Casway was legal counsel for the Board. Lisa Mattson, court reporter, recorded the proceedings.

Kimberly Whittemore, Senior Investigator was present and testified.

CLOSED MEETING: Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 4:31 P.M. for the purpose of deliberation to reach a decision in the matter of Mr. Lyons. Additionally, Ms. Lindsay moved that Ms. Krohn, Ms. Power, Ms. Davis and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.
The motion was seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 4:38 P.M.

Ms. Lindsay moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.
The motion was seconded and carried unanimously.

Ms. Hartz moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Mr. Rutkowski and amended by the Board.
The motion was seconded and carried unanimously.

ACTION: Ms. Hartz moved that the Board of Nursing continue the registered nurse license of Billy Lyons on indefinite suspension for a period of not less than two years and until such time as he can appear and provide evidence that he is safe and competent to practice.
The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

ADJOURNMENT: The Board adjourned at 4:40 P.M.

Jodi P. Power, RN, JD
Deputy Executive Director

VIRGINIA BOARD OF NURSING

Minutes May 16, 2012

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:00 A.M. on May 16, 2012 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS

PRESENT: Joyce A. Hahn, PhD, APRN, NEA-BC; Chairperson
Jeanne E. Holmes, Citizen Member
Florence Jones-Clarke, RN, MS
Trula Minton, MS, RN
Karen K. Schultz, PhD, MBA; Citizen Member
William Traynham, LPN, CSAC

STAFF PRESENT: Jay P. Douglas, RN, MSM, CSAC; Executive Director
Gloria D. Mitchell, RN, MSN, MBA; Deputy Executive Director
Krystal Blanton, Senior Discipline Specialist
Stephanie Keymont, Administrative Assistant

OTHERS PRESENT: Charis Mitchell, Assistant Attorney General

**ESTABLISHMENT OF
A QUORUM:** With six members of the Board present, a quorum was established.

CONSIDERATION OF AGENCY SUBORDINATE RECOMMENDATIONS:

CLOSED MEETING: Dr. Schultz moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:02 A.M. for the purpose of consideration of agency subordinate recommendations. Additionally, Dr. Schultz moved that Ms. Douglas, Ms. G. Mitchell, Ms. Blanton, Ms. Keymont and Ms. C. Mitchell attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 9:19 A.M.

Dr. Schultz moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Teresa Barrett, RN 0001-171947

Ms. Barrett did not appear.

Ms. Holmes moved that the Board of Nursing accept the recommended decision of the agency subordinate to accept the voluntary surrender for indefinite suspension for not less than two years of Teresa Barrett's right to renew her license to practice professional nursing. The motion was seconded and carried unanimously.

Hope Shaffer, LPN 0002-078439

Ms. Shaffer did not appear.

Ms. Holmes moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of Hope Shaffer for a period of not less than two years and until such time as she can appear before the Board and demonstrate she is safe and competent to resume nursing practice. The motion was seconded and carried unanimously.

Aisha Simpson, LPN 0002-062695

Ms. Simpson did not appear.

Ms. Holmes moved that the Board of Nursing accept the recommended decision of the agency subordinate to take no action against Aisha Simpson contingent upon her continued compliance in the Health Practitioners Monitoring Program. The motion was seconded and carried unanimously.

Ashley Vogel, RN 0001-224216

Ms. Vogel did not appear.

Ms. Holmes moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Ashley Vogel and further, indefinitely suspend Ms. Vogel's right to renew her license to practice professional nursing. The motion was seconded and carried unanimously.

Tiffany E. Griffin, LPN 0002-071703

Ms. Griffin did not appear.

Ms. Holmes moved that the Board of Nursing accept the recommended decision of the agency subordinate to issue an order of reprimand to Tiffany Griffin. The motion was seconded and carried unanimously.

Stephanie Ogden, RN 0001-156793

Ms. Ogden did not appear.

Ms. Holmes moved that the Board of Nursing accept the recommended decision of the agency subordinate to take no action against Stephanie Ogden contingent upon her continued compliance with the Health Practitioners Monitoring Program. The motion was seconded and carried unanimously.

Pamela H. Grandy, LPN 0002-014093

Mr. Grandy did not appear.

Ms. Holmes moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the right of Pamela Grandy to renew her practical nurse license until such time as she can petition the Board for reinstatement and show that she is safe and competent to return to the practice of practical nursing. The motion was seconded and carried unanimously.

Amy L. Bolling, LPN 0002-052798

Ms. Bolling did not appear.

Ms. Holmes moved that the Board of Nursing accept the recommended decision of the agency subordinate to issue an order of reprimand to Amy Bolling and to accept the voluntary surrender for indefinite suspension of the practical nurse license of Ms. Bolling.

The motion was seconded and carried unanimously.

Jemima Corpuz, RN 0001-147708

Ms. Corpuz did not appear.

Ms. Holmes moved that the Board of Nursing accept the recommended decision of the agency subordinate to issue an order of reprimand to Jemima Corpuz. The motion was seconded and carried unanimously.

Margaret Orehowsky, RN 0001-203433

Ms. Orehowsky did not appear.

Ms. Holmes moved that the Board of Nursing accept the recommended decision of the agency subordinate to issue an order of reprimand and order that Margaret Orehowsky complete the National Council of State Boards of Nursing online courses “Documentation: A Critical Aspect of Client Care” and “Medication Errors: Detection and Prevention”. The motion was seconded and carried unanimously.

Holly Powell, CNA 1401-134446

Ms. Powell did not appear.

Ms. Holmes moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend Holly Powell’s right to renew her nurse aide certificate and that a finding of neglect be entered against Ms. Powell in the Nurse Aide Registry based on a single occurrence.

The motion was seconded and carried unanimously.

Pamela Sickal, RN 0001-227385

Mr. Sickal did not appear.

Ms. Holmes moved that the Board of Nursing accept the recommended decision of the agency subordinate to issue an order of reprimand to Pamela Sickal and order Ms. Sickal to pay a monetary penalty of \$200 within thirty days of entry of the order.

The motion was seconded and carried unanimously.

Sherett Gaither, LPN 0002-083377

Ms. Gaither did not appear.

Ms. Jones-Clarke moved that the Board of Nursing accept the recommended decision of the agency subordinate to issue an order of reprimand to Sherett Gaither and that Ms. Gaither be ordered to comply with the terms of the order of the New York Board entered on January 11, 2011 and provide proof of said compliance to the Virginia Board of Nursing. The motion was seconded and carried unanimously.

Regina McPherson, RN 0001-050036

Ms. McPherson did not appear.

Ms. Minton moved that the Board of Nursing accept the recommended decision of the agency subordinate to order Regina McPherson undergo a neuropsychological evaluation by a mental health/chemical dependency specialist satisfactory to the Board and to have a written report of the evaluation, including a diagnosis, recommended course of therapy, prognosis and any recommendations sent to the Board within 90 days after the date that this order is entered. Upon receipt of the required information, the Board may request that Ms. McPherson reappear at an informal conference in order to consider the specialist's recommendations and to make a final disposition in this matter. The motion was seconded and carried unanimously.

Sharon Meadows, RN 0001-078324

Ms. Meadows did not appear.

Ms. Minton moved that the Board of Nursing accept the recommended decision of the agency subordinate to place Sharon Meadows on indefinite probation for not less than two years of actual nursing practice with terms and conditions.. The motion was seconded and carried unanimously.

Janet Moulton, RN 0001-212995

Ms. Moulton did not appear.

Mr. Traynham moved that the Board of Nursing accept the recommended decision of the agency subordinate to issue an order of reprimand to Janet Moulton and order Ms. Moulton to provide the Board with verification that she has completed a Board approved RN level course in handling patients with dementia or combative behavior and Board approved anger management course within 60 days of entry of the order. The motion was seconded and carried unanimously.

Kelli Shipman, LPN 0002-074680

Ms. Shipman did not appear.

Dr. Schultz moved that the Board of Nursing accept the recommended decision of the agency subordinate to take no action against Kelli Shipman's license to practice practical nursing contingent upon her entry into the Health Practitioners Monitoring Program within 45 days of entry of the order and thereafter remaining

in compliance with the Health Practitioners Monitoring Program. The motion was seconded and carried unanimously.

ADJOURNMENT: The Board adjourned at 9:19 A.M.

Gloria D. Mitchell, RN, MSN, MBA
Deputy Executive Director

VIRGINIA BOARD OF NURSING
Formal Hearings
May 16, 2017
Panel – B

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 1:00 P.M. on May 16, 2012 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS
PRESENT:

Joyce A. Hahn, PhD, APRN, NEA-BC; Chairperson
Jeanne Holmes, Citizen Member
Florence Jones-Clarke, RN, MS
Trula Minton, MS, RN
Karen K. Schultz, PhD, MBA, Citizen Member
William Traynham, LPN, CSAC

STAFF PRESENT:

Jay P. Douglas, RN, MSM, CSAC; Executive Director
Gloria D. Mitchell, RN, MSN, MBA; Deputy Executive Director
Krystal Blanton, Senior Discipline Specialist
Stephanie Keymont, Administrative Assistant (observing)

OTHERS PRESENT:

Charis Mitchell, Assistant Attorney General
Students from Riverside School of Nursing

ESTABLISHMENT OF
A QUORUM:

With six members of the Board present, a quorum was established.

FORMAL HEARINGS:

Susan A. Kohler, RN 0001-184919

Ms. Kohler appeared, represented by attorney, Margaret Hardy.

Tammie Jones, Adjudication Specialist, represented the Commonwealth. Ms. C. Mitchell was legal counsel for the Board. Mary Treta, court reporter, recorded the proceedings.

Debra Hay-Pierce, Senior Investigator, Department of Health Professions and Dawn France, Case Manager, Health Practitioners Monitoring Program were present and testified.

CLOSED MEETING:

Mr. Traynham moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 2:30 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Kohler. Additionally, Mr. Traynham moved that Ms. Douglas, Ms. G. Mitchell, Ms. Blanton and Ms. C. Mitchell attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 3:08 P.M.

Mr. Traynham moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Ms. Holmes moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Jones and amended by the Board.

The motion was seconded and carried unanimously.

ACTION:

Dr. Schultz moved that the Board of Nursing continue suspension of the registered nurse license of Susan Kohler with said suspension stayed contingent upon her reentry into the Health Practitioners Monitoring Program and thereafter remaining in compliance with the Health Practitioners Monitoring Program and further issue an order of reprimand.

The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

FORMAL HEARINGS:

Hugh J. McLinden, RN Reinstatement Applicant 0001-150700

Mr. McLinden appeared, represented by attorney, Scott Ives.

Tammie Jones, Adjudication Specialist, represented the Commonwealth. Ms. C. Mitchell was legal counsel for the Board. Mary Treta, court reporter, recorded the proceedings.

Patricia Sheehan, Senior Investigator, Department of Health Profession was present and testified.

CLOSED MEETING:

Mr. Traynham moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 4:12 P.M., for the purpose of deliberation to reach a decision in the matter of Mr. McLinden. Additionally, Mr. Traynham moved that Ms. Douglas, Ms. G. Mitchell, Ms. Blanton and Ms. C. Mitchell attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 4:35 P.M.

Mr. Traynham moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Dr. Schultz moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Jones and amended by the Board. The motion was seconded and carried unanimously.

ACTION:

Ms. Holmes moved that the Board of Nursing reinstate the registered nurse license of Hugh McLinden on indefinite probation for a period of not less than one year with terms and conditions. The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

FORMAL HEARINGS:

Cherie Ridley, CNA 1401-058427

Ms. Ridley appeared.

James Rutkowski, Adjudication Specialist, represented the Commonwealth. Ms. C. Mitchell was legal counsel for the Board. Mary Treta, court reporter, recorded the proceedings.

June Morrison, Senior Investigator, Department of Health Professions testified by telephone. Susan Parks, Director of Nursing, Heritage Hall Healthcare and Rehabilitation Center was present and testified.

CLOSED MEETING:

Mr. Traynham moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 5:22 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Ridley. Additionally, Mr. Traynham moved that Ms. Douglas, Ms. G. Mitchell, Ms. Blanton and Ms. C. Mitchell attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 5:28 P.M.

Mr. Traynham moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

ACTION:

Ms. Minton moved that the Board of Nursing dismiss the case in the matter of Cherie Ridley and impose no sanction due to insufficient evidence of a violation. The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

ADJOURNMENT:

The Board adjourned at 5:28 P.M.

Gloria D. Mitchell, RN, MSN, MBA
Deputy Executive Director